RECEIVED FOR

IN RE: PETITION FOR RESIDENTIAL ZONING VARIANCE W/S Jolly Road, 210 ft. S of Phesant Cross Road

* ZONING COMMISSIONER * OF BALTIMORE COUNTY 2032 Jolly Road 3rd Election District * Case No. 92-425-A 2nd Councilmanic District

* BEFORE THE

Donald Kahn, et ux Petitioners * * * * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance from Section 1802.3.B of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 12 ft., in lieu of the required 25 ft., for an addition, as more particularly described on Petitioners' Exhibit No. 1.

The Petitioners having filed a Petition for Residential Variance and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variances would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore Variance from Section 2802.3.B of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 12 ft., in lieu of the required 25 ft., for an addition, in accordance with Petitioners' Exhibit No. 1, be and is hereby GRANTED, subject, however, to the following restriction which are conditions precedent to the relief granted herein:

> 1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

> > Zoning Commissioner for Baltimore County

Baltimore Cosost, the entire of Zoning Commissioner Office of Planning and Zoning

Suite 113 Courthouse 400 Washington Avenue Towson, MD 21204

(410) 887-4386

June 3, 1992

Mr. and Mrs. Donald Kahn 2032 Jolly Road Baltimore, Maryland 21209

> RE: Petition for Residential Zoning Variance Case No. 92-425-A

Dear Mr. and Mrs. Kahn:

Enclosed please find the decision rendered in the above captioned case. The Petition for Residential Variance has been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Zoning Commissioner

LES:mmn

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: The undersigned, legal owner(s) of the property located in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, petition for a Variance from Section 1 · G o 2 · 3 · B				
THE REQUIRED 25'				
of the Zoning Regulations of Baltimore County for	or the following reasons: (indicate hardship or practical difficulty)			
additional room ne	ce in master bedroom - eded for therapeutic purposes - eded to enlarge master bathroom room is not adequate to meet our needs			
Property is to be advertised and/or pested as pro				
I/we agree to pay expenses of the above posting a and are to be bound by the zoning regulations and Baltimore County.	and, if necessary, advertising, upon filing of this petition, and further agree to I restrictions of BaltimoreCounty adopted pursuant to the Zoning Law for			
,	I/we do solemnly declare and affirm, under the penalties of perjury that I/we are the legal owner(s) of the property which is the subject of this petition.			
·	that I/we are the legal owner(s) of the property which is the subject			
·	that live are the legal owner(s) of the property which is the subject of this petition.			
Contract Perchaner:	that live are the legal owner(s) of the property which is the subject of this petition.			
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Contract Purchaner: (type or print menue) (dignature) eddress City State Zip Code	that I/we are the legal owner(s) of the property which is the subject of this petition. Legal Owner(s): (type property transe). (right tran			
Contract Purchaner: (type or print name) (dignature) address City State Zip Code Attorney for Petitioner:	that I we are the legal owner(s) of the property which is the subject of this petition. Legal Owner(s): (type profession transe) (right or print game) (hypercell) 2032 Soury Rome 687 30 30			

A PUBLIC HEARING HAVING BEEN REQUESTED AND/OR FOUND TO BE REQUIRED, IT IS ORDERED by the Zoning Commissioner Of Baltimore County, this ______ day of ______, 19____, that the subject matter of this petition be set in for a public hearing, advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, and that the property be reposted.

ZONING COMMISSIONER OF BALTIMORE COUNTY

455

AFFIDAVIT IN SUPPORT OF ADMINISTRATIVE VARIANCE

The undersigned hereby affirms under the penalties of perjusy to the Zoning Commissioner of Bultimore County, as follows. That the information herein given is within the personal knowledge of the Afficat(s) and that Afficat(s) in/are competitive thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 2032 Jolly Rd Baltimore Maryland 21209

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Admi. We have expanded our family and need more space, including but not limited to additional closets and storage areas.

Also, our present bathroom is not adequate to meet our needs and we want to enlarge same. Of utmost importance is an additional room for therapeutic purposes.

Donald Kahn and Anne Kahn the Affiants(s) herein, personally known or estimaterity identified to me as such Affiants(s), and made centric that the matters and facts hereinsbove set forth are true and correct to the best of his/her/their knowledgicals in

AS WITNESS my hand and Notarial Seal.

THE DESCRIPTION -3 copies required

copies of the zoning description of your property are required. Type or print description, standard 8-1/2" x 11" sheets are acceptable. Host property

ZONING DESCRIPTION FOR 2032 JOLLY R4.

Typical metes and bounds: M.87° 12' 13" E. 321.1 ft., 8.18° 27' 03" E. 87.2 ft., 5.62° 19' 00" W. 318 ft., and M.OS" 15' 22" W.80 ft. to the place of beginning.

92-425 A

CERTIFICATE OF POSTING ING DEPARTMENT OF BALTIMORE COUNTY

trict	Residential	Date of P Variances	- 5/15/S	2
	Donald & An	n Kahn		
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narks:	eul Trabe		liance 4/BC	zje

MISCELLANEOUS CASH RECEIPY

VALIDATION OR SIGNATURE OF CASHER

rand Muke Checks Payable To: Dr. In ord County

me contract

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111 West Chesapeake Avenue Towson, MD 2120+

May 27, 1992

887-3353

05/18/92

Meeting Date

Mr. & Mrs. Donald Kahn 2032 Jolly Road Baltimore, MD 21209

Development Review Committee Response Form

Harbor Realty Partnership

Jerald H. And Brenda D. Windes

Daniel C. And Susan E. Gutkin

Donald And Anne Kahn

Signet Bank, Maryland

A. Eric And Esther J. Dott

William J. And Mary Jane Kramer

Douglas B. And Judith A. Celmar

9690 Deereco Road Limited Partnership

RE: Item No. 455, Case No. 92-425-A Petitioner: Donald Kahn, et ux Petition for Administrative Variance

Dear Mr. & Mrs. Kahn:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to assure that all parties, i.e. Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by Zoning personnel.

Baltimore County Government
Office of Zoning Administration and Development Management Office of Planning & Zoning

111 West Chesapeake Avenue Towson, MD 21204

887-3353

Your petition has been received and accepted for filing this 4th day of May , 1992.

Zoning Plans Advisory Committee

Petitioner: Donald Kahn, et ux

Petitioner's Attorney:

BALTIMORE COUNTY, MARYLAND

119/92

OFFICE OF PLANNING AND ZONING New Courts Building 401 Bosley Avenue Towson, MD 21204

MEMORANDUM

Arnold Jablon, Director - Zoning Administration & Development

Ervin McDaniel, Chief Development Review Section Office of Planning and Zoning

May 13, 1992

PETITIONS FROM ZONING ADVISORY COMMITTEE - 5/11/92

The Office of Planning and Zoning has no comments on the following petitions:

Jerald & Brenda Windes - Item 453 - Item 454 Daniel & Susan Gutkin Donald & Anne Kahn - Item 455 ✓ Ronald W. Bair - Item 457 William & Mary Jane Kramer - Item 459 Douglas & Judith Celmer - Item 460

If there should be any further questions or if this office can provide additional information, please contact Francis Morsey in the Office of Planning and Zoning at 887-3211.

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ZONING OFFICE

111 West Chesapeake Avenue Towson, MD 21204

> Donald and Anne Kahn 2032 Jolly Road Baltimore, Maryland 21209

e: CASE NUMBER: 92-425-1 LOCATION: W/S Jolly Road, 210' S of Phesant Cross Road 2032 Jolly Road 3rd Election District - 2nd Councilmanic

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Any contact made with this office should reference the case number. This letter also serves as a refresher regarding the administrative process.

Baltimore County Government Office of Zoning Administration and Development Management Office of Planning & Zoning

Baltimore County Government 42

Zoning Agenda: MAY 11, 1992

Fire Prevention Bureau

(301) 887-4500

Fire Department

MAY 13, 1992

700 East Joppa Road Suite 901

Zoning Administration and Development Management

Baltimore County Office Building

Item No.: *455(LEO)

RE: Property Owner: DONALD KAHN AND ANNE KAHN

Special Inspection Division

#2032 JOLLY ROAD

Pursuant to your request, the referenced property has been surveyed by

Noted and

DECIVE.

ZONING OFFICE

Approved

this Bureau and the comments below are applicable and required to be

corrected or incorporated into the final plans for the property.

7. The Fire Prevention Bureau has no comments at this time.

Towson, MD 21204-5500

Arnold Jablon

Towson, MD 21204

Location:

Director

Gentlemen:

1) Your property will be posted on or before Many 17, 1992. The closing date is June 1, 1992. The closing date is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. At that time, an Order will issue. This Order may (a) grant the requested relief, (b) demy the requested relief, or (c) demand that the matter he set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.

2) In cases requiring public hearing (whether due to a neighbor's formel request or by Order of the Commissioner), the property will be reposted and notice of the hearing will appear in two local newspapers. Charges related to the reposting and advertising are psychle by the petitioner(s).

3) Please be advised that you must return the sign and post to this office. They may be returned after

the closing date. Failure to return the sign and post will result in a \$50.00 charge. PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW AND THE DECISION MAKING PROCESS. WHEN THE ORDER IS READY IT WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION PRIOR TO BEING MAILED TO YOU.

Department of Recreation and Parks Development Review Committee Response Form Meeting Date 9690 Deereco Road Limited Partnership 5-11-92 Orville Jones DED DEPRM RP STP TE Harbor Realty Partnership Jerald H. And Brenda D. Windes Daniel C. And Susan E. Gutkin Donald And Anne Kahn Signet Bank, Maryland Ronald W. Bair A. Eric And Esther J. Dott 100 Comment William J. And Mary Jane Kramer VCU UCHAN AR DIF IC Douglas B. And Judith A. Celmar DED DEPRM RP STP TE DED DEPRM RP STP TE

COUNT 11

05/18/92 DPW/Developers Engineering Division (Public Services) Development Review Committee Response Form Authorized signature _ Llenin A. Kennedy Project Name Meeting Date Zaning Issue 9690 Deereco Road Limited Partnership 5-11-92 **≠**DED DEPRM RP STP TE Orville Jones Harbor Realty Partnership Jerald H. And Brenda D. Windes Daniel C. And Susan E. Gutkin **○ > >** Donald And Anne Kahn Signet Bank, Maryland A. Eric And Esther J. Dott DED DEPRM RP STP TE William J. And Mary Jane Kramer Douglas B. And Judith A. Celmar

COUNT 11

File Number

Orville Jones

DED DEPRM RP STP TE

Ronald W. Bair

DED DEPRM RP STP TE

Printed on Recycled Paper

COUNT 11

Coming Commissioner, Baltimore Coun

+124/92

Rochaf Bouncias position residing

at 1/19 Meas and Com i DD 2/20 am aware of the building to Donald Kahn's house at 2032 Jolly Road and do not object to the encroachment to my property line.

Rowel Bouawas.

455

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92-425-A

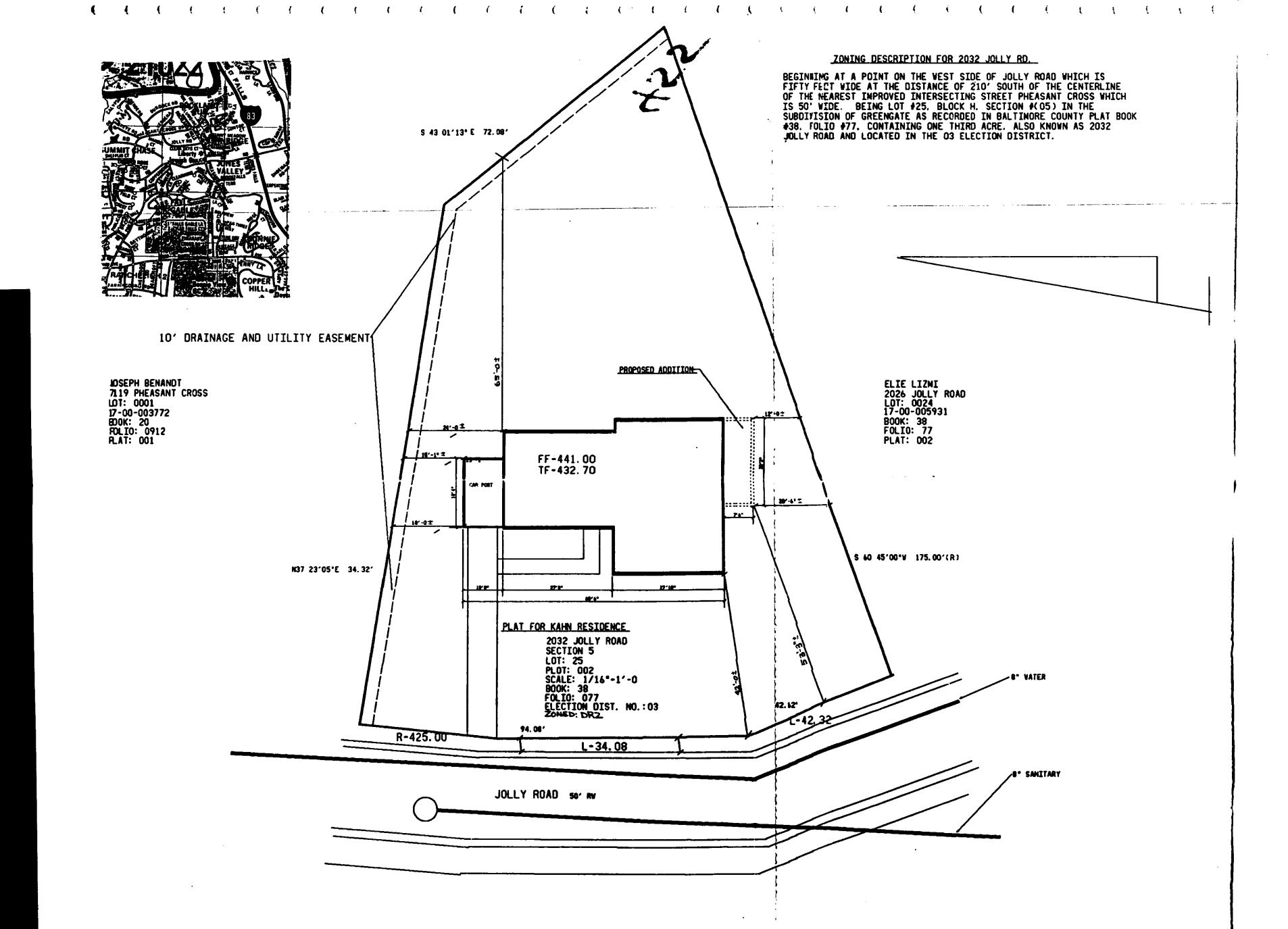
at 2026 Jolly 20. am aware of the building to Donald Kahn's house at 2032 Jolly Road and do not object to the encroachment to my property line.

Klik

455 92-425-A







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